

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION

ROBERT BERG,
Plaintiff

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§
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vs.

§ Case No. 6:19-cv-418-JDK
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M&F WESTERN PRODUCTS, INC.,
Defendant.

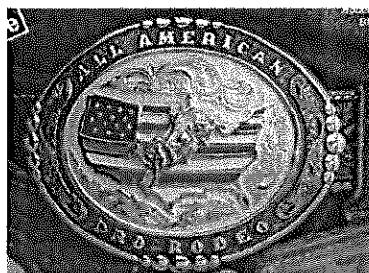
**DECLARATION OF P. EDDINS IN SUPPORT OF DEFENDANT'S MOTION FOR
PARTIAL SUMMARY JUDGMENT**

I, Paul Eddins, declare as follows:

1. I submit this Declaration in support of M&F Western's Motion for Partial Summary Judgment regarding Plaintiff's claims of copyright infringement pertaining to Copyright Registration No. VA 1-159-548 ("the Buckle Registration"). If called as a witness, I could and would testify competently to the matters set forth in this Declaration.
2. I am currently employed by M&F Western Products, Inc. in the position of Chief Financial Officer in Sulphur Springs, Texas. I have worked at M&F Western since 1993 with various duties, including accounting, finance, human resources and managing other business matters. In my position at M&F Western, and as part of my duties at M&F Western throughout the years, I have become intimately familiar with M&F Western's business and the Western wear industry, including Western-style jewelry and belt buckles. I am also knowledgeable regarding M&F Western's acquisitions of other businesses through the years.
3. In 2007, M&F Western acquired Crumrine Manufacturing Jewelers, Inc. as well as the intellectual property in its designs through an Asset Purchase Agreement. A true and correct copy of that agreement is attached as Exhibit A to the Declaration of Jeanne Crumrine

LaShelle submitted in support of M&F Western's motion. While the details of the agreement are confidential, the fact that Crumrine Manufacturing Jewelers sold its business and intellectual property rights to M&F Western is not confidential. At the time of the acquisition, M&F Western created a separate entity, the Crumrine Buckle Company, Inc., which was a wholly owned subsidiary of M&F Western. Crumrine Buckle Company acquired the assets from Crumrine Manufacturing Jewelers jointly with M&F Western.

4. M&F Western subsequently dissolved the Crumrine Buckle Company entity, however, M&F Western continues to use "Crumrine Buckle Company" as a trade name and continues to own the assets transferred under the Asset Purchase Agreement to M&F Western and Crumrine Buckle Company.
5. Among other designs acquired pursuant to the Asset Purchase Agreement, M&F Western acquired the rights in a 1995 buckle design incorporating five tapered beads along the four compass points as shown below:



I declare that the foregoing is true and correct under penalty of perjury under the laws of the United States.

Signed on this 10th day of June 2020, at Sugar Springs - Texas.

By: _____

Paul Eddins

CERTIFICATE OF SERVICE

I hereby certify that on June 12, 2020, the foregoing was filed with the Court's electronic filing system, which served a copy on all counsel of record.



Kirstin E. Larson